

Objections to the Claims

Claims 1, 2, 5, 8, 16, and 19 stand objected due to various informalities. More specifically, the Office stated:

- “1) In claim 1, line 9: The term “first” should be changed to - - second- -.
- 2) In claim 2, line 2: The term - -section- - should be inserted after the term “second.”
- 3) In claim 5, line 2: The term “second” should be changed to - -section- -.
- 4) In claim 5, line 3: The third instance of the term “second” should be changed to - -first- -.
- 5) In line 2 of claims 8 and 16: The term “comprise” should be changed to - -comprises- -.
- 6) In claim 19, line 1: The number “16” should be changed to - -18- -.”

In response to the above, the Applicant has amended claims 1, 2, 5, 8, 16, and 19 per the Office’s suggestion. It is for the aforementioned reason that the Applicant respectfully request that the Office’s objections of claims 1, 2, 5, 8, 16, and 19 be withdrawn.

Rejection under 35 U.S.C. 102(b) to the reference of Fireman et al.

Applicant’s claims 1-17 stand rejected under 35 U.S.C. 102(b) as being anticipated by the reference of Fireman et al. (U.S. Patent No. 5,327,591).

In regards to the Office’s rejection of independent claims 1 and 11, Applicant’s independent claim 1 calls for a furniture frame having “.... a prop bar secured to said at least one supporting member ...” and Applicant’s independent claim 11 calls for a furniture frame having “.... a prop bar secured to said support members of said first section ...”

It is submitted that the reference of Fireman et al does not teach the prop bar of Applicant's claims 1 and 11. In regards to the Office's statement on page 3, lines 2-3 that the reference of Fireman teaches "... a prop bar (24) secured to the at least one supporting member ...," the Applicant respectfully disagrees with the Office's aforementioned statement. More specifically, the Applicant submits that Fireman's support rail 24 is not a prop bar as called for in Applicant's claims 1 and 11 but instead is specifically disclosed by Fireman in Figure 5 and in column 5, lines 56-57 as comprising a part of the "... understructure of the frame ..." of Fireman's device.

Applicant's independent claims 1 and 11 each also call for a furniture frame having:

"...at least one catch member secured to one of said side of said second section, said catch member having at least one notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition." (Emphasis added.)

The Applicant submits that the reference of Fireman et al does not teach the above catch member of Applicant's claims 1 and 11. In regards to Fireman's detent 40, which the Office on page 3, lines 5-6 refers to as a catch member, the Applicant respectfully submits that Fireman's detent 40 is different from the catch member of Applicant's claims 1 and 11.

Referring to Figure 1 of Fireman, note that Fireman's detent 40 does not engage a portion of his support rail 24, which the Office previously referred to as a prop bar, to support Fireman's device in a couch/recliner position as called for in Applicant's claims 1 and 11. Fireman's detent 40 instead operates during the initial process of converting Fireman's

device from a sofa bed position to a recliner position. (Column 7, lines 47-50.) It is noted that during process of converting Fireman's device from a sofa bed position to a recliner position, Fireman's detent 40 disengages and moves away from his end frame 40. (Column 7, lines 53-57.) In view of the aforementioned, the Applicant submits that Fireman's detent 40 does not engage a portion of his support rail 24 to support his device when Fireman's device is in its recliner position.

Applicant's independent claim 1 further calls for a furniture frame that includes a "first section having at least one wheel rotatably secured thereto..." and Applicant's independent claim 11 further calls for a furniture frame having "...at least one wheel rotatably secured to said first section ..."

The Applicant submits that the reference of Fireman et al does not teach at least one wheel rotatably secured to a first section of Fireman's device. Referring to Figures 2, 3, and 5, note that the reference of Fireman instead teach his wheel 22 as secured to his support leg 21. The Applicant submits that Fireman's support leg 21 does not comprise a portion of the first section of Fireman's device, which the Office previously referred to as comprising Fireman's end frame 30 and back frame 20. (Page 2, line 20.)

It is for the above reasons that the Applicant respectfully submits that Applicant's method claims 1 and 11 are allowable over the reference Fireman et al.

In regards to Applicant's claims 8 and 16, Applicant's claim 8 calls for a furniture frame having:

"... a catch member having a first notch and a second notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition." (Emphasis added.)

Applicant's claim 11 calls for a furniture frame that includes a:

"... catch member having a first notch and a second notch with each notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition." (Emphasis added.)

It is submitted that the reference of Fireman does not teach a catch member having a first notch and a second notch for engaging a portion of a prop bar as called for in Applicant's claims 8 and 16. In regards to the Office's statement on page 4, lines 5-7 of the Office Action that Fireman shows "... a catch member having a first notch and a second notch in Figure 5 ...," the Applicant strenuously disagrees with the Office's aforementioned statement. Referring to Fireman's Figure 5, note that Fireman's detent 40 does not include a first notch and a second notch for engaging a portion of his support rail 24, which the office referred to as a prop bar (Page 3, lines 2-3 of the Office Action). Instead, Fireman's detent 40 is shown in Figure 5 as each having a single region that is not numbered but is shown in Figure 3 for engaging a portion of his support rail 24.

In regards to Applicant's claim 9, Applicant's claim 9 calls for a furniture frame that includes:

“... at least one stop member located on the side of the first section for limiting the movement of the support member of the first section when the furniture frame is in the bed position.” (Emphasis added.)

The Applicant submits that the reference of Fireman does not teach the stop member of Applicant's claim 9. In regards to Fireman's joining first leg 46 and second leg 47, which the Office on page 4, lines 7-9 refers to as a stop member “... located on the side of the first section for limiting the movement of the support member of the first section when the furniture frame is in the bed position ...,” the Applicant respectfully disagrees with the Office's Aforementioned statement.

It is submitted that Fireman's joining first leg 46 and second leg 47 is different from the stop member of Applicant's claim 9. More specifically, as disclosed above, the stop member of Applicant's claim 9 limits the “... movement of the support member of the first section when the furniture frame is in the bed position.” Referring to Figure 5 and column 7, lines 40-44 of Fireman, note that Fireman's joining first leg 46 and second leg 47 does not limit the movement of the support legs 31 of his end frame 30 or the support legs 21 of his back frame 20 when his device is in the sofa bed position. Fireman's joining first leg 46 and second leg 47 instead functions by “... providing support between the end frame 30 and back frame 20 against jackknifing when the sofa bed position is use.” It is further noted that since Fireman's support legs 21 and 31 are fixedly secured to his support leg 21 and end frame 30 and thus can not move with respect to his end frame 30 and back frame 20, Fireman's support legs 21 and 31 do not require a member such as the stop member of Applicant's claim 9 to limit their movement.

It is for the above reasons that the Applicant submits that Applicant's claim 9 is allowable over the reference of Fireman.

**Rejection under 35 U.S.C. 102(b)
to the reference of Barton et al.**

Applicant's claim 20 stands rejected under 35 U.S.C. 102(b) as being anticipated by the reference of Barton et al. (U.S. Patent No. 5,153,952). In rejecting Applicant's claim 20, the Office referred to Figures 2 and 3 and column 3, lines 35-46 of Barton et al. in support of the Office's rejection. The Applicant respectfully disagrees with the Office's reference to Figures 2 and 3 and column 3, lines 35-46 of Barton in support of the Office's of Applicant's claim 20.

Applicant's claim 20 calls for a method of converting a furniture frame from a couch position to a bed position. The Applicant submits that Figures 2 and 3 and column 3, lines 35-46 of Barton et al. does not teach a method of converting a furniture frame from a couch position to a bed position but instead teaches the opposite, namely to the conversion of convertible sofa from a sofa bed position to a recliner position. (See column 2, lines 30-33 of Barton.)

Applicant's claim 20 includes the steps of:

“... disengaging a prop bar from a notch of a catch member located on the side of the seat section;
moving a backrest support member away from the catch member of the seat section
....”

The Applicant submits that the reference of Barton does not teach the above steps as the seat 12 of Barton convertible sofa 10 does not include a catch member for disengaging a prop bar therefrom or for moving Barton's back 14 away from the catch member. (Figures 2, 3, and 4 of Barton.) In regards to Barton's step 50, note that Barton's step 50 is not located on his seat 12 but instead is specifically shown in Figures 1, 2, 3, and 5 of Barton as being located on the back 50 of Barton's convertible sofa 10.

It is for the above reasons that the Applicant respectfully submits that Applicant's method claim 20 is allowable over the references of Barton et al.

In further regards to Applicant's method claims 2-10 and 12-17, Applicant's dependent claims 2-10 each depend on Applicant's independent claim 1. Since Applicant's independent method claim 1 is allowable for the reasons given above, Applicant's dependent method claims 2-10 should also be allowable. Applicant's dependent claims 12-17 each depend on Applicant's independent method claim 11. Since Applicant's independent claim 11 is allowable for the reasons given above, Applicant's dependent method claims 12-17 should also be allowable.

In view of the above, it is submitted that the application is in condition for allowance.

Allowance of claims 1-20, as amended, is respectfully requested. Applicant has enclosed a version of the amendment showing changes made with this response.

VERSION OF AMENDMENTS SHOWING MARKINGS

1. (Presently Amended) A furniture frame comprising:
 - a first section having a first side and a second side, said first section having at least one wheel rotatably secured thereto and at least one support member secured thereto for supporting said first section;
 - a prop bar secured to said at least one supporting member;
 - a second section connected to said first section, said second section having a first side and a second side and including at least one support member for supporting said second section; and
 - at least one catch member secured to one of said side of said ~~first~~ second section, said catch member having at least one notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition.
2. (Presently Amended) The furniture frame of claim 1 wherein said first section comprises a backrest section and said second section comprises a seat section.
3. (Original) The furniture frame of claim 1 wherein said second section is connected to said first section through the engagement of a protruding member located on said first side of said first section with a slot located on the first side of the second section and a protruding member located on said second side of said first section with a slot located on said second side of said second section.
4. (Original) The furniture frame of claim 1 wherein said at least one wheel comprises a first wheel and a second wheel rotatably secured to said first section.
5. (Presently Amended) The furniture frame of claim 1 wherein said at least one support member of said first ~~second~~ section comprises a first support member secured to said first side of said first section and a second support member secured to said second side of said ~~second~~ first section for supporting said first section.

6. (Original) The furniture frame of claim 1 wherein said at least one support member of said second section comprises a first support member secured to said first side of said second section and a second support member secured to said second side of said second section for supporting said second section.
7. (Original) The furniture frame of claim 1 wherein said at least one catch member comprises a first catch member secured to an interior surface of said first side of said second section and a second catch member secured to an interior surface of said second side of said second section.
8. (Presently Amended) The furniture frame of claim 1 wherein said catch member having at least one notch ~~comprise~~ comprises a catch member having a first notch and a second notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition.
9. (Original) The furniture frame of claim 1 including at least one stop member located on the side of the first section for limiting the movement of the support member of the first section when the furniture frame is in the bed position.
10. (Original) The furniture frame of claim 1 wherein the first side and the second side of the first section comprises a L-shape configuration.
11. (Currently Amended) A furniture frame comprising:
a first section having a first side and a second side, each of the sides of said first section having a support member connected thereto for supporting the first section;
at least one wheel rotatably secured to said first section;
a prop bar secured to said support members of said first section;
a second section connected to said first section, said second section having a first side and a second side with each of said sides of said second section having a support member for supporting said second section; and

at least one catch member secured to one of said side of said ~~first~~ second section, said catch member having at least one notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition.

12. (Original) The furniture frame of claim 11 wherein said first section comprises a backrest section and said second section comprises a seat section.

13. (Original) The furniture frame of claim 12 wherein said at least one wheel comprises a first wheel and a second wheel rotatably secured to said backrest section.

14. (Original) The furniture frame of claim 12 wherein said seat section is connected to said backrest section through the engagement of a protruding member located on said first side of said backrest section with a slot located on the first side of the seat section and a protruding member located on said second side of said backrest section with a slot located on said second side of said seat section.

15. (Original) The furniture frame of claim 12 wherein said at least one catch member comprises a first catch member secured to an interior surface of said first side of said seat section and a second catch member secured to an interior surface of said second side of said seat section.

16. (Presently Amended) The furniture frame of claim 12 wherein said catch member having at least one notch ~~comprise~~ comprises said catch member having a first notch and a second notch with each notch for engaging a portion of said prop bar thereon to support said furniture frame in a couch condition.

17. (Original) The furniture frame of claim 12 wherein the backrest section comprises a L-shaped backrest section.

18. (Original) A method of converting a furniture frame from a bed position to a couch position comprising the steps of:

lifting a front edge of a seat section of the furniture frame in the bed position;
bringing a prop bar connected to at least one backrest support member and a notch of a catch member located on the side of the seat section into proximity;
raising the front edge of the seat section to allow the backrest support member and a portion of a prop bar to engage the notch of the seat section; and
lowering the front edge of the seat section to trap the portion of the prop bar to the notch of the seat section to maintain said frame in the couch position.

19. (Presently Amended) The method of claim ~~16~~ 18 including the step of lifting said prop bar from said notch of the seat section to a further notch of said seat section to adjust the furniture frame in the couch position.

20. (Original) A method of converting a furniture frame from a couch position to a bed position comprising the steps of:

raising a front edge of a seat section of the furniture frame in the couch position;
disengaging a prop bar from a notch of a catch member located on the side of the seat section;
moving a backrest support member away from the catch member of the seat section; and
lowering the front edge of the seat section of the frame in the bed position.

Respectfully submitted,

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